REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

In response to the objection to the abstract, the above amendment obviates the grounds for such objection.

Accordingly, all outstanding formal issues are now believed to have been resolved in the Applicant's favor.

The rejection of all pending claims 1-10, 12 and 16-20 under 35 U.S.C. § 102 as allegedly anticipated by Jeyachandran '887 is respectfully traversed.

With respect to claim 20, the Examiner alleges that Jeyachandran automatically schedules delivery of requested information to a user at a notification time that avoids interfering activities as identified in a schedule of activities for the user that is maintained by the computer information system (via the information processing apparatus placing a notification task in the task table to send to the user at its designated notification time). To support this assertion, the Examiner relies upon paragraphs 7-11; 96; 100-105; 258-268; 368-379 and 425-437. As will be explained in more detail below, these passages are not believed to support the Examiner's assertion.

Jeyachandran's paragraph 7 refers to other prior art systems which were relatively inflexible such that a reminder of a scheduled event could only occur at a fixed, previously specified time and could not be adjusted to take into account an "existing situation". Accordingly, this paragraph does not support the Examiner's assertions.

Jeyachandran's paragraphs 8-11 are found in the "Summary of Invention" section of this document and describe objectives of the invention as including the ability to perform "an appropriate notification process in consonance with an existing situation". The described object involves determining whether a predetermined notification condition can be satisfied for notifying a user of a pending undertaking when it is ascertained that the notification condition can be satisfied. However, nothing in these paragraphs indicates that such modified notification time would avoid interfering activities as identified in a schedule of activities for that user. Instead, this teaching appears to be directed towards adjusting the schedule of activities itself -- rather than to automatically schedule delivery of previously requested information at a time which avoids interfering activities identified in the schedule of activities. Accordingly, these paragraphs do not support the Examiner's assertions.

Jeyachandran's paragraph 96 describes a "task reception unit 13" which, inter alia, receives changes effected in the environment of the information processing apparatus 1 as well as tasks from other apparatuses such as the information process apparatus 2. The reception task unit 13 also detects connections of new apparatuses to the network, receives print instructions, detects a state wherein no process has been performed for a predetermined period of time, etc. It could also add received data to a task table 14 as a new task and transmit it to the "hysteresis data management unit 18". "Hysteresis data" is described as history information (see paragraph 84) and an example of such is depicted in Figure 3 where, indeed, it does appear to be a historical log of events that have taken place in the past. In any event, this paragraph also does not appear to support the Examiner's assertions.

Jeyachandran's paragraphs 100-105 describe the "task analyzer 15" as extracting the highest priority task from task table 14. The purposes of the task are analyzed and, depending its relative priority, the performance of less efficient operations is prevented so that an "optimal process can be performed". This section of the document goes on to analyze in some detail how a more efficient printing process can be effected. However, the entirety of these paragraphs fail to in any way teach or suggest automatically scheduling delivery of user-requested information to that user at a time which avoids interfering activities as identified in a schedule of activities for that user that is also maintained by the computer information system (e.g., as required in applicant's claim 20).

Jeyachandran's paragraphs 258-268 are the entirety of a section found at page 14 describing "Embodiment 8" in conjunction with Figure 28 (as well as Figures 19A, 20 and 23). In summary, the described embodiment 8 has the ability to continuously update the urgency of meeting reminders sent to a user regarding a previously scheduled meeting which start prior to the meeting, progress to the time when the user is supposed to be at the meeting and to a future time where the user apparently missed the meeting. While this indeed shows some flexibility in adjusting the nature of the meeting reminder so as to take into account what is apparently a real world situation, it does not involve automatically scheduling delivery of user-requested information to that user at a time which avoids interfering activities as identified in a schedule of activities maintained for that user. Indeed, the substance of the description for embodiment 8 at paragraph 258-268 is specifically intended to interrupt whatever it is that the user might now be doing so as to more effectively issue a timely reminder that the user is supposed to be in attendance at the previously scheduled meeting. This is actually the antithesis of automatically

scheduling the delivery of user-requested information so as to arrive at a time which avoids interfering activities as identified in that users scheduled activities as known to the computer system.

Jeyachandran's paragraphs 368-379 which appear on page 21 and are actually split between describing embodiment 17 and a different embodiment 18. Accordingly, there is some mixing of "apples and oranges" if these things are considered together. In any event, embodiment 17 is primarily associated with Figure 45. Once again, it primarily involves providing some flexibility to notifications sent to the user at the time a user is supposed to be doing something. Once again, this is the antithesis of automatically scheduling the delivery of user-requested information so as to avoid interfering activities identified in the schedule.

Perhaps paragraphs 375-379 regarding embodiment 18 and connected with Figure 46 are slightly more pertinent because here at least information is provided about messages received while the user was otherwise occupied (i.e., away from his seat and up at the podium delivering a message to the group or the like). However, here again, the user himself or herself apparently changes the device mode to "returning" so that accumulated message identifications can be immediately delivered even while the user is still engaged in an ongoing conference or the like with others. That is, once again, there does not appear to be any automatic scheduling of delivery for user-requested information at a time that avoids interfering activities insofar as the user's computer-maintained schedule of activities is concerned.

Jeyachandran's paragraphs 425-437 comprise most of the paragraphs describing embodiment 23 and appear to be connected primarily with Figures 54, 55 and 45. While Figure

54 deals with a scheduling algorithm that does detect potential conflict with previously stored scheduled events, this appears to be directed towards setting a new event into the schedule without conflict rather than any automatic scheduling for delivery of user-requested information back to that user at a time which avoids interfering activities as identified in that user's computer-maintained schedule of activities. The remainder of these paragraphs involving Figures 55 and 45 also appear to be essentially irrelevant to the applicant's claimed invention for reasons similar, if not identical, to those already discussed. Indeed, the attempt to purposely schedule notifications to the user at the time of scheduled activities as depicted in Figure 45 has already been explained as the antithesis of the applicant's attempt to avoid providing user-requested information at a time of other scheduled activities.

With respect to applicant's claim 1, again relies on the same identical passages of Jeyachandran. However, since claim 1, inter alia, requires scheduling and execution time for communicating user-requested information to the human user with a task of a second type and scheduling that execution delivery time so as to avoid the user's current and future activities as identified by the user workload input, these passages are also believed to be irrelevant with respect to applicant's claim 1.

With respect to dependent claims 2-10, 12 and 18, the Examiner relies upon the same identical passages in Jeyachandran -- even though these dependent claims add yet further patentably distinguishing features to the claimed invention. As should be clear from the above discussion of these passages, they do not support the Examiner's assertions. Furthermore, as one gets into more and more details of the dependent claims, when they are properly considered as a

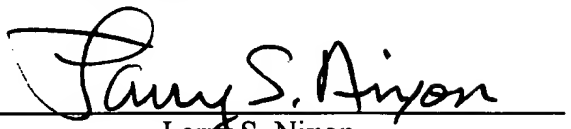
whole with their parent claims, the Examiner's mixed collection of passages taken from numerous portions of Jeyachandran relating to completely different embodiments and the like and even in some instances to the prior art, is a strange mixture of "apples and oranges" that has little relevant teaching -- especially without undue use of hindsight in view of the applicant's own claimed invention.

As to claims 16 and 19, the Examiner relies upon Jeyachandran's paragraphs 15-17. Presumably this was intended to be in addition to the passages already discussed and relied upon for parent claims. Of course, applicant is not alleging to have been the first to create a computer program or a suite of computer programs or the like, per se. It is agreed that Jeyachandran does contemplate a method and apparatus that is computer-implemented and involves the execution of computer software/programs. However, for reasons already noted above, Jeyachandran is not believed to teach the functionality that is required in implementation of computer software/computer apparatus of claims 16 and 19 when considered as a whole including recitations of parent claims.

Accordingly, this entire application is now believed to be in allowable condition and a formal Notice to that effect is respectfully solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Larry S. Nixon
Reg. No. 25,640

LSN:ewm
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100